

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

701039-048929

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/070647

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PCT/US00/24839

11 September 2000

PRIORITY DATE CLAIMED

10 September 1999

TITLE OF INVENTION

METHOD FOR TREATING AND PREVENTING BACTERIAL INFECTION

APPLICANT(S) FOR DO/EO/US **BERNFELD, M. and PARK, Pyong Woo**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:
PCT/IB/301 with Annex (2 pp.); PCT/IB/304 (1 pg.); PCT/ISA/220 with Notes (4 pp.); PCT/ISA/210 with Annex (3 pp.); PCT/IB/308 (1 pg.); PCT/IB/332 (1 pg.); PCT/IPEA/416 (1 pg.); Form PCT/IPEA/409 (4 pp.); Express Mail Certificate - Label No. EL565098413US (1 pg.); and Return Receipt Postcard.

U.S. APPLICATION NO. (if known, see 37 CFR 1.17) **10/070647** NATIONAL APPLICATION NO. **300/24839**
 To be assigned

ATTORNEY'S DOCKET NUMBER
701039-048929

21. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482)
 nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
 and International Search Report not prepared by the EPO or JPO **\$1040.00**

International preliminary examination fee (37 CFR 1.482) not paid to
 USPTO but International Search Report prepared by the EPO or JPO **\$890.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO
 but international search fee (37 CFR 1.445(a)(2)) paid to USPTO **\$740.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO
 but all claims did not satisfy provisions of PCT Article 33(1)-(4) **\$710.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO
 and all claims satisfied provisions of PCT Article 33(1)-(4) **\$100.00**

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS PTO USE ONLY

\$ **710.00**

\$ **130.00**

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☒ 30
 months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	12 - 20 =	0	x \$18.00
Independent claims	3 - 3 =	0	x \$84.00

MULTIPLE DEPENDENT CLAIM(S) (if applicable) + **\$280.00**

TOTAL OF ABOVE CALCULATIONS = \$ **840.00**

☒ Applicant claims small-entity status. See 37 CFR 1.27. The fees indicated above
 are reduced by 1/2.

+ \$ **420.00**

SUBTOTAL = \$ **420.00**

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30
 months from the earliest claimed priority date (37 CFR 1.492(f)).

TOTAL NATIONAL FEE = \$ **420.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
 accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **\$40.00** per property +

TOTAL FEES ENCLOSED = \$ **420.00**

Amount to be
 refunded: \$

charged: \$

a. ☒ A check in the amount of \$ **420.00** to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
 A duplicate copy of this sheet is enclosed.


c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
 overpayment to Deposit Account No. 50-0850. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card
 information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR
 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

David S. Resnick
 NIXON PEABODY LLP
 101 Federal Street
 Boston, MA 02110


 SIGNATURE

David S. Resnick / Lana A. Shvartsman
 NAME

34,235 / 48,502

REGISTRATION NUMBER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Children's Medical Center Corporation
Inventors: BERNFIELD, M. and PARK, P.
U.S. Serial No.: To be assigned (PCT/US00/24839) Group Art Unit: To be assigned
Filed: Herewith (11 September 2000) Examiner: To be assigned
For: METHOD FOR TREATING AND PREVENTING BACTERIAL INFECTION

Box PCT
The Honorable Commissioner for Patents
Washington, D.C. 20231

Attn: U.S. Receiving Office PCT

VERIFIED CERTIFICATION OF EXPRESS MAILING DATE

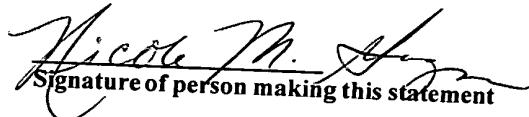
I declare that on 08 March 2002, I deposited, with the United States Postal Service, in an envelope "Express Mail, Post Office to Addressee," bearing Label Number EL565098413US, addressed to "Box PCT, Assistant Commissioner for Patents, Washington, D.C. 20231, Attention EO/US" and having an express mail certification that I executed, the following papers:

1. Transmittal Letter to the United States Elected Office (2 pp.);
2. Preliminary Amendment and Version with Markings to Show Changes Made to the Specification (pp.);
3. Copy of the Published International Application – WO 01/17560 (PCT/US00/24839) (51 pp.);
4. PCT/IB/301 with Annex (2 pp.);
5. PCT/IB/304 (1 pg.);
6. PCT/ISA/220 with Notes (4 pp.);
7. PCT/ISA/210 with Annex (3 pp.);
8. PCT/IB/308 (1 pg.);
9. PCT/IB/332 (1 pg.);
10. PCT/IPEA/416 (1 pg.);
11. Form PCT/IPEA/409 (4 pp.);
12. Check in the Amount of \$ 420.00;
13. Return Receipt Postcard.

A copy of these papers from the file of this application are attached.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Date: 08 March 2002


Signature of person making this statement